

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE PERRIGO COMPANY PLC SECURITIES
LITIGATION

19-CV-70 (DLC)

**~~PROPOSED~~ ORDER APPROVING
DISTRIBUTION OF NET SETTLEMENT FUND**

WHEREAS, in the above-captioned action (the “Action”), the Court-approved Claims Administrator A.B. Data, Ltd. (“A.B. Data” or “Claims Administrator”) has completed the administration of the Settlement Fund, including the processing of all submitted Claim Forms, and is now prepared, with the approval of the Court, to distribute the net proceeds of the Settlement;

WHEREAS, on February 16, 2022, the Court granted Lead Plaintiffs’ Motion for Final Approval of the Proposed Settlement and Approval of the Plan of Allocation. The same day, the Court entered (i) a Judgment Approving Class Action Settlement, and (ii) Order Approving Plan of Allocation (ECF Nos. 328, 329) and retained jurisdiction over the Action, including the administration and distribution of the Settlement Fund;

WHEREAS, on February 18, 2022, the Court entered the Order Awarding Attorneys’ Fees and Reimbursing Litigation Expenses (the “Fee Order,” ECF No. 331) awarding attorneys’ fees in the amount of 33 and 1/3% of the Settlement Fund (the “Fee Award”) and \$978,116.75 in reimbursement of litigation expenses;

WHEREAS, pursuant to the Fee Order, one half of the Fee Award and all reimbursable litigation expenses were payable to Lead Counsel immediately upon entry of the Fee Order, and the remainder of the Fee Award shall be payable upon the Court’s entry of an order granting Plaintiffs’ motion for distribution of the Net Settlement Fund;

WHEREAS, pursuant to the Order Preliminarily Approving Settlement and Providing for Notice entered on October 29, 2021 (ECF No. 321), the deadline for Class Members to submit claims to participate in a distribution from the Net Settlement Fund was March 21, 2022;

WHEREAS, as reflected in the Declaration of Eric A. Nordskog in Support of Lead Plaintiffs' Motion for Approval of Distribution of Net Settlement Fund ("Nordskog Dec." or "Nordskog Declaration"), the Claims Administrator has completed the process of reviewing all submitted Claims, and has made a recommendation as to the eligibility of each submitted Claim; *that recommendation includes the representation that no putative claimant has sought*

WHEREAS, Lead Plaintiffs and the Claims Administrator now seek authorization to distribute the Net Settlement Fund to Authorized Claimants; and *Each premise of a claim of a class.*

WHEREAS, after reviewing Lead Plaintiffs' Motion for Approval of Distribution of Net Settlement Fund, the Memorandum of Law in support thereof, the Nordskog Declaration, and all other exhibits and papers submitted in support thereof, the Court has determined that good cause exists for the relief requested.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. This Order incorporates by reference the definitions in the Amended Stipulation and Agreement of Settlement, dated and filed on October 22, 2021 (the "Stipulation," ECF No. 317-1), and in the Nordskog Declaration, and all capitalized terms used herein shall have the same meanings as set forth in the Stipulation or in the Nordskog Declaration, unless otherwise noted.
2. This Court has continuing jurisdiction over the subject matter of the Action and over all parties to the Action, including all Class Members.
3. The claims set forth in Exhibit D ("Timely Eligible Claims") and Exhibit E ("Late but Otherwise Eligible Claims") to the Nordskog Declaration are APPROVED, and the distribution of the Net Settlement Fund to the Authorized Claimants is AUTHORIZED.

4. Wholly ineligible or otherwise deficient claims (“Rejected Claims”), as set forth in Exhibit F to the Nordskog Declaration, are REJECTED.

5. The distribution of the Net Settlement Fund to Authorized Claimants is hereby AUTHORIZED and shall be conducted in accordance with the Settlement Agreement, the Court-approved Plan of Allocation, and the Distribution Plan for payment of the Net Settlement Fund set forth in the Nordskog Declaration, which is hereby APPROVED.

6. No Claims received or adjusted after July 22, 2022 will be eligible for payment for any reason.

7. At such time as Lead Counsel, in consultation with A.B. Data, determines that further redistribution of the funds remaining in the Net Settlement Fund is not cost-effective, the remaining balance of the Net Settlement Fund, after payment of any unpaid Notice and Administration Costs, taxes, the costs of preparing appropriate tax returns, and any escrow fees, shall be contributed to the Investor Protection Trust, a non-sectarian, not-for-profit organization.

8. A.B. Data shall be paid the outstanding balance of its fees and expenses in connection with the services performed, and to be performed, in administering the Proof of Claim Forms and distributing the Net Settlement Fund in the total amount of \$201,146.95. If the incurred fees and expenses are lower than the estimate, A.B. Data shall promptly reimburse the Net Settlement Fund.

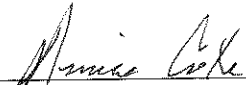
9. A.B. Data is authorized to destroy the paper copies and electronic copies of the Proof of Claim forms, and all related paper documents, one (1) year after the distribution of the Net Settlement Fund is complete.

10. Pursuant to paragraph 4 of the Court’s February 18, 2022 Fee Order, the remainder of the Fee Award is immediately payable to Lead Counsel.

11. All persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of the Claims submitted in connection with the Settlement, or who are otherwise involved in the administration or taxation of the Settlement Fund or the Net Settlement Fund, are hereby released and discharged from all claims arising out of that involvement, and all Class Members and other Claimants, whether or not they receive payment from the Net Settlement Fund, are hereby barred from making any further claims against the Net Settlement Fund, Lead Plaintiffs, Lead Counsel, the Claims Administrator, the Escrow Agent, or any other agent retained by Lead Plaintiffs or Lead Counsel in connection with the administration or taxation of the Settlement Fund or Net Settlement Fund, or any other person released under the Settlement beyond the amounts allocated to Authorized Claimants.

12. This Court retains jurisdiction to consider any further applications concerning the administration of the Settlement, and such other and further relief as this Court deems appropriate.

SO ORDERED this 11th day of August, 2022



The Honorable Denise Cote
United States District Judge